

REMARKS

This amendment is responsive to the Office Action mailed June 27, 2008. Reconsideration and allowance of claims 1-19 are requested.

Status of the Claims

The Office Action mailed July 26, 2008 reports examination of claims 1-19.

Claims 1-19 stand rejected under 35 U.S.C. § 103(a) as allegedly unpatentable in view of Richard, EP 0737867 in view of Barbic, US 7,202,667 (hereinafter "Barbic").

The Rejections Should be Withdrawn and the Claims Allowed

All claims stand rejected based on a proposed combination relying upon Barbic. As noted in the Office Action at page 3, Barbic has an effective U.S. priority date of June 7, 2004 (via U.S. Provisional No. 60/577,907).

The present application is a national stage entry of PCT/IB05/50602, which claims priority to U.S. Provisional No. 60/549,732 filed March 3, 2004. This priority was also claimed in the national stage entry as evidenced at least by the Application Data Sheet:

Domestic Priority Information:

This section allows for the applicant to claim benefit under 35 U.S.C. 119(e), 120, 121, or 365(c). Providing this information in the application data sheet constitutes the specific reference required by 35 U.S.C. 119(e) or 120, and 37 CFR 1.78(a)(2) or CFR 1.78(a)(4), and need not otherwise be made part of the specification.			
Prior Application Status	Abandoned	<input type="button" value="Remove"/>	
Application Number	Continuity Type	Prior Application Number	Filing Date (YYYY-MM-DD)
60/549732			2004-03-03
Additional Domestic Priority Data may be generated within this form by selecting the Add button.			<input type="button" value="Add"/>

Reproduced portion of Application Data Sheet (ADS)

and by the filing receipt provided by the Office:

Domestic Priority data as claimed by applicant

This application is a 371 of PCT/IB05/50602 02/17/2005
which claims benefit of 60/549,732 03/03/2004

Reproduced portion of Filing Receipt

The Office has not alleged or shown that any claim of the present application is unsupported by U.S. Provisional No. 60/549,732 filed March 3, 2004, and a brief review of the provisional suggests that its disclosure is substantially coextensive with the disclosure of the present application.

U.S. Provisional No. 60/549,732 filed March 3, 2004 predates Barbic's effective U.S. priority date of June 7, 2004. Accordingly, it is respectfully submitted that Barbic does not qualify as prior art against the present application.

As all pending rejections rely upon a proposed combination including Barbic, it is respectfully submitted that these rejections should be withdrawn. There being no other pending rejection of any of claims 1-19, it is respectfully submitted that claims 1-19 are in condition for allowance. Applicants therefore respectfully request allowance of all claims 1-19.

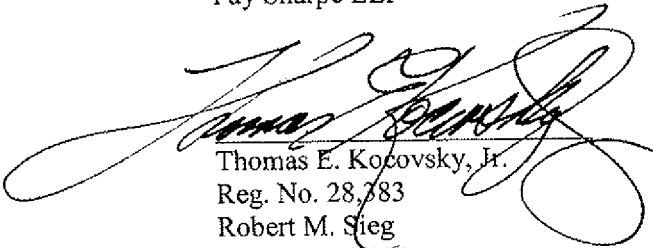
CONCLUSION

For the reasons set forth above, Applicants respectfully request reconsideration and allowance of claims 1-19.

In the event that personal contact is deemed advantageous to the disposition of this case, the Examiner is requested to telephone the undersigned at (216) 861-5582.

Respectfully submitted,

Fay Sharpe LLP

A large, stylized handwritten signature in black ink, which appears to read "Thomas E. Kocovsky, Jr.", is written over the printed name and registration information.

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